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LAW OFFICE OF
HENRY T. BRENDZEL

Date: December 23, 2008	
To: Examiner. Salad Elmi Abdullahi	From: Henry T. Brendzel, Esq
Fax: 571-273-8300	Fax: (973) 467-6589
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Re: Serial No: 10/086,534	Pages: Cover + 3


DEC 23 2008

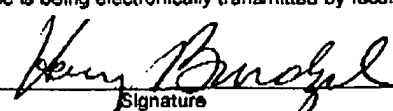
Henry Brendzel

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Complete if Known	
		Application Number	10/086,534
		Filing Date	3/4/2002
		First Named Inventor	Matthew J. Sherman
		Examiner Name	Salad Elmi Abdullahi
		Group/Art Unit	2157
Total number of pages in this Submission: this page, plus		2	Attorney Docket ID
			Sherman 2001-0025CIP-1

If Fee Form is not included, but a fee is due, the Commissioner is Authorized to charge Deposit Account of Henry T. Brendzel No 600732 of, and consider that appropriate requests that give rise to the fees (such as for an extension of time) have been made.

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Form (<input type="checkbox"/> Check included)	<input type="checkbox"/> Declaration (no Missing Parts Notice)	<input type="checkbox"/> Postcard(s)
<input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Affidavit(s)/Declaration(s)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Request for a Refund
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to group
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Certified Copy of Priority document(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.2 or 1.53	<input type="checkbox"/> Power of Attorney, Revocation or Change of Correspondence Address	<input type="checkbox"/> Proprietary Information
	<input type="checkbox"/> Express Abandonment	<input type="checkbox"/> Status Letter
	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Highlighted copy of petition
	<input type="checkbox"/> To Convert to Statutory Invention Registration	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual Name	Henry T. Brendzel	
Signature		Date 12/23/08

CERTIFICATE OF MAILING/FACSIMILE TRANSMISSION		
<input type="checkbox"/> 1 st class mail: I hereby certify that this correspondence is being deposited with the United States Postal Service, First Class Mail service, in an envelop addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA22313-1450 on the date shown herein.		
<input checked="" type="checkbox"/> Fax: I hereby certify that this correspondence is being electronically transmitted by facsimile to the United States Patent Office on the date shown herein.		
Henry Brendzel		12/23/08
Name of Person Signing	Signature	Date

Sherman 2001-0025CIP-1

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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Patent Application

Inventor(s)	Matthew J. Sherman	Serial No.	10/086,534
		Filing Date	3/4/2002
		Examiner	Salad Elmi Abdullahi
Case Name	Sherman 2001-0025CIP-1	Art Unit	2157
Title	Interference Suppression Methods for 802.11		

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

SIR:

Renewed Petition Under 37 C.F.R. 1.137

A petition under 37 CFR 1.137, filed on October 15, 2008, was dismissed because, according to the Petition Decision, the petition lacked "the petition fee set forth under 37 CFR 1.17(l)." The Decision explained that the "Office only received \$510," that the fee due was \$540, and that "no authorization to charge any additional fees to a deposit account was found."

Respectfully, the latter is not correct.

Enclosed is a photocopy of the filed petition that includes an instruction to charge the account of Henry T. Brendzel. Obviously, the assertion that "no authorization to charge any additional fees to a deposit account was found" is based on an error.

Reconsideration and granting of the petition are respectfully solicited.

Respectfully,
Matthew J. Sherman

Dated: 12/23/08By Henry T. Brendzel

Henry T. Brendzel

Reg. No. 26,844

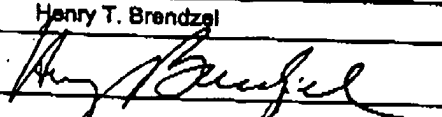
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Bellovin 113031 - Serial No. 09/3/ '64

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Petition for Revival of an Application for Patent Abandoned Unavoidably under 37 CFR 1.137(a)			
Serial No.	10/086,534	Filing Date	03/04/2002
Inventor(s)	Sherman	Attorney Docket No.	Sherman 2001-0025CIP1
Examiner	Meky, Moustafa	Group Art Unit	2157
Title Interference Suppression Methods for 802.11			
To: Mail Stop: Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450			
<p>VIA FACSIMILE 571-273-8300</p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extension of time actually obtained.</p> <p>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</p> <p>A grantable petition requires the following items: (1) petition fee, (2) reply and/or issue fee, (3) terminal disclaimer with disclaimer fee, if appropriate, (4) adequate showing of the cause of unavoidable delay.</p> <p>1. Petition fee - CHECK IN THE AMOUNT OF \$510 IS INCLUDED. The Director is hereby authorized to charge the following fees, or credit any overpayments, to <u>Deposit Account No. 500732 of Henry T. Brendzel</u>, should a check not be enclosed, or be enclosed but for an incorrect amount.</p> <p>2. Reply and/or Issue fee The issue fee and publication fee (if application of \$ _____) <input type="checkbox"/> has been paid previously on 12/8/05 by means of a check, and the PTO, in fact, cashed the check, it being posted on 12/16/2005. <input type="checkbox"/> is enclosed herewith</p> <p>3. Terminal Disclaimer with Disclaimer fee <input checked="" type="checkbox"/> Since this utility/plan application was filed on or after June 8, 1995, no terminal disclaimer is required. <input type="checkbox"/> A terminal disclaimer and fee of \$ _____ is enclosed herewith</p> <p>4. STATEMENT: This application became abandoned unavoidably because an Office Action that purportedly was mailed out by the USPTO was never received. Since the Office Action followed an RCE filing on June 17, 2007, there was no way for applicant to know, or to even expect, that an Office action might be mailed by the PTO. Proof to the effect that no Office Action was received is enclosed.</p>			
Name	Henry T. Brendzel		Reg. No. 26,844
Signature			Date 10/15/08